

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VITTORIO GUERRIERO, M.D., and)	
GREGORY C. NACOPOULOS, D.O.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 08 C 2388
)	
MERIT LINCOLN PARK, LLC, GREGORY A.)	Judge Leinenweber
CIERLIK, WILLIAM S. MARKEY, M.D.,)	
MARIA M. MUNOZ, M.D., CHRISTOS A.)	
GALANOPOULOS, M.D., GEORGE I.)	
SALTI, M.D., GEORGE ENGEL, M.D.,)	
HOWARD A. MORITZ, M.D., CHRISTINE)	
BRADY, R.N., ERHARD R. CHORLÉ and)	
LYNN A. ELLENBERGER,)	
)	
Defendants.)	

AGREED MOTION TO EXTEND TIME

Defendants, Erhard R. Chorlé and Lynn A. Ellenberger (collectively, “defendants”), by their attorneys, Kevin M. Forde, Ltd., submit this Agreed Motion to Extend Time, and state as follows:

1. Defendants are required to answer or otherwise plead to plaintiffs’ complaint on June 2, 2008.
2. On May 27, 2008, defendants filed a motion seeking leave to file an oversized brief, not to exceed 30 pages, in support of their planned motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6).
3. That motion originally was noticed for presentment before Judge Grady on June 4, 2008.

4. This case has since been reassigned to Judge Leinenweber. On May 29, 2008, the Court ordered that defendants re-notice their motion for presentment before Judge Leinenweber. Defendants re-noticed the motion for June 10, 2008 at 9:30 a.m., the first available date before Judge Leinenweber.

5. Due to the fact that there will no ruling on defendants' motion to file an oversized brief by June 2, 2008, defendants respectfully request an extension in which to file their motion to dismiss and supporting memorandum until June 17, 2008, which is 7 days from the re-noticed date of presentment of their motion for leave to file an oversized brief.

6. Counsel for plaintiffs has advised counsel for defendants that he does not object to this motion.

7. Defendants make this motion in good faith and not for purposes of delay.

WHEREFORE, defendants respectfully request that this Court grant defendants an extension to file their motion to dismiss the complaint until June 17, 2008.

Dated: May 29, 2008

Respectfully submitted,

/s/Kevin M. Forde

One of the Attorneys for Defendants

Erhard R. Chorlé and Lynn A. Ellenberger

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